

## COURT HITS WATERWAY BOND ISSUE

RUSS ARMY  
TAKES MEN  
AND GUNS

Claim 20,000 Prisoners and  
55 Guns on Western  
Russia Front.

## LECHITZKY VICTORY

German Detachments Re-  
pulsed Along Somme—  
Checked at Verdun.

Petrograd, July 29, (via London).—  
The capture by Russian troops in the  
fighting yesterday on the western front  
included 400 officers and 20,000 men, it  
was officially announced today. Fifty-  
five German guns were taken. The Aus-  
tro-Germans were driven back along the  
whole front from the Kovel-Ro-  
jische railway to Brody.

General Lechitzky, the statement  
adds, won an important victory to the  
south of the Dniester in the direction  
of Stanislaw.

Previous German Success.  
Berlin, July 29, (by wireless to Say-  
ville).—The capture of 1,000 Russians  
during the fighting north of Brody is  
reported in the Austro-Hungarian  
headquarters statement of July 27,  
which also records Russian repulses in  
this district. A success for the Aus-  
trians in the Prislip region, where  
heights were captured from the Rus-  
sians, is announced.

Repulse Two Detachments.  
Paris, July 29.—Two strong German  
detachments, which attempted to reach  
the French lines at the point west of Ver-  
mandovillers on the Somme front yester-  
day, were repulsed, it was officially  
announced by the French war depart-  
ment today.

In the region of the French fortress  
of Verdun two German attacks on a re-  
doubt in the ravine south of Fleury  
were checked. The French, the state-  
ment says, made some progress in the  
region of Thiaumont.

In the sector of the Fumin and  
Chenols woods an artillery duel contin-  
ues.

Progress by British.  
London, July 29.—British troops  
yesterday made progress to the north  
and northeast of Pozieres and near  
High Wood, it was officially announced  
today. General Sir Douglas Haig also  
reported that two desperate German  
counter attacks against Delville wood  
were repulsed.

Submarine Attack.  
Rome, Friday, July 28 (delayed in  
transmission).—The Re D'Italia, a 5-  
237 ton vessel of the Italian Lloyd  
Sabauda line, was attacked by a Teu-  
tonic submarine at 9 o'clock in the  
morning of July 23, while the steamer  
was on a voyage from Genoa to New  
York. The defensive guns, with which  
the vessel is equipped, were brought  
into play and the submersible was  
driven away. The liner then proceeded  
on her way to America.

Aeroplane Engagement.  
Rome, July 29.—Austrian aero-  
planes yesterday attacked Bari, Mola  
di Bari, Molfetta and Otranto, seaports  
on the Adriatic. Two persons were  
wounded at Bari, and five killed and  
20 wounded at Molfetta. Buildings  
were slightly damaged at Mola di  
Bari.

Official reports say some of the aero-  
planes were struck by Italian artillery  
fire.

Berlin, July 29, (by wireless to Say-  
ville).—The Austro-Hungarian admir-  
alty in a statement today reports a  
raid by Austrian aircraft on various  
Italian towns as follows:

"An Austro-Hungarian naval aero-  
plane squadron on July 27 bombarded  
very successfully railway stations,  
military objects, and factories at  
Otranto, Mola, Bari, Givonazzo and  
Molfetta with heavy, light and incendi-  
ary bombs. Especially at Bari  
destructive bombs were used and serious  
fires were caused. In railroad  
buildings, factories and other places.  
The squadron returned unharmed.

"Desertion or Insanity."  
London, July 29.—Telegraphing from  
The Hague, the correspondent of the  
Exchange Telegraph company says he  
has received the following message  
from Maastricht, a Dutch town, 56  
miles east of Brussels:

"Fifteen German deserters, includ-  
ing a non-commissioned officer, ar-  
rived here at Maastricht yesterday.  
They all came from the Somme region.  
They said it was impossible to live  
through the Anglo-French artillery  
fire without going mad and they pre-  
ferred desertion to insanity."

Serbian Losses Light.  
Paris, July 29.—Intermittent can-  
nonading is reported along the Mace-  
donian front, where the Serbians are  
operating against the Bulgarians, says  
a Saloniki dispatch to the Havas News  
agency. Serbian losses were compara-  
tively light, the correspondent says,  
but the Bulgarians were taken by sur-  
prise and suffered considerable losses,  
as was shown by the large number  
of dead left on the field.

Austrians Repulsed.  
Rome, via London, July 29.—Austro-  
Hungarian attempts to surprise the  
Italian positions 7,000 feet above sea

Bar Negroes  
From Using  
Bath Beach

Springfield, Ill., July 29.—Negro  
citizens of Springfield planned today  
to file injunction proceedings against  
the park board of Springfield to com-  
pel the board to grant them permis-  
sion to use public bathing beaches here.

A swimming pool in one of the local  
parks was closed Thursday when three  
negroes attempted to swim in it.  
The plans for injunction proceed-  
ings followed a mass meeting last night  
at which the radical negroes overrode  
their more conservative fellow-citi-  
zens, and voted to begin proceedings  
at once, which, they predict, will either  
gain permission for the negroes to  
use the pools or will close them en-  
tirely.

The court action will be taken in  
the face of advice from white citizens,  
who, remembering the race riots of  
1908, when seven negroes were lynched,  
have counseled against it.

WAR EFFECT ON  
TRADE STUDIED

Washington, July 29.—A study in  
Europe of war's effect on American  
commerce is being considered by ad-  
ministration officials as one of the  
first tasks for the tariff commission  
to be created by the revenue bill  
pending in the senate. This became  
known in connection with publication  
of a letter from President Wilson to  
Samuel M. Hastings of Chicago, presi-  
dent of the Illinois Manufacturers' as-  
sociation, saying the president favored  
investigation of the country's  
trade relations.

When conditions justify it, the presi-  
dent wrote, advantage would be taken  
of a provision of the Rainey law,  
under which the president is author-  
ized to direct an examination by the  
commission of conditions, causes and  
effects of competition of foreign in-  
dustries with those of the United  
States.

level on Monte Cimone the night of  
July 27 were promptly repulsed, it is  
announced in the Italian official state-  
ment issued today.

Serbian Driven Back.  
Sofia, Bulgaria, July 29.—The re-  
pulses of attacks on the Bulgarian lines  
along the Macedonian front was an-  
nounced today by the war office, which  
states that counter attacks resulted  
in the capture by the Bulgarians of  
hostile trenches. Attempts by the  
Serbians to occupy heights were de-  
feated by a Bulgarian counter attack.  
The Serbians being driven back to the  
plains and suffering considerable  
losses.

Vessel Captured.  
Berlin, July 19, (by wireless to Say-  
ville).—A German auxiliary cruiser at  
1 o'clock on the morning of July 27,  
after an engagement with the armed  
British steamship Eskimo, captured  
the vessel and brought her into port,  
according to a statement given out to-  
day by the German admiralty. The en-  
counter took place at a point 15 miles  
southeast of Arendal, a Norwegian sea-  
port on the Skagerrak.

Estimate of Prisoners.  
Petrograd, July 29, (via London).—  
A semi-official estimate of the number  
of prisoners taken by the Russians dur-  
ing the first half of the summer cam-  
paign just closing places the total at  
350,000.

## THE WAR TODAY

The Russian drive into Galicia  
is going forward with tremendous  
strikes. Russian forces have cap-  
tured Brody, an important railway  
junction in Galicia and have broken  
the Austro-German first lines west  
of Lutsk in Volhynia, taking  
9,000 prisoners and 46 guns. The  
capture of Brody, some 50 miles  
northeast of Lemberg, opens a di-  
rect road to the Galician capital.  
The occupation of the town also  
may have the effect of causing the  
entire Austro-German line southwest to  
ward Tarnopol and Buczacz to fall  
back.

The success in Volhynia, while  
also a menace to Lemberg, threatens  
the stronghold of Vladimir and  
makes more insecure the Austro-  
German hold on Kovel.

British forces north of the  
Somme have occupied the whole of  
Longueval, and their march to-  
ward Bapaume has been aided by  
the recapture of Delville wood.  
Fighting continues in the vicinity  
of Pozieres.

In the Vosges the Germans have  
attempted to break the French line,  
but Paris reports that the attacks  
have been repulsed. The French  
report some progress to the west of  
the Thiaumont work on the right  
bank of the Meuse.

Zepelins raided the east coast  
of England early today. Casual-  
ties and property loss, if any, have  
not been reported.

Almost coincident with the an-  
nouncement that the Serbians have  
begun operations against the Bul-  
garians on the Macedonian front  
comes a report from Bucharest  
that negotiations between Turkey  
and Rumania regarding the ex-  
change of supplies have been brok-  
en off. The attitude of Rumania  
in view of the Russian successes  
against the Austrians and Germans  
and the threat of an allied advance  
in the Balkans is being closely  
watched.

THIRD YEAR  
IS ENTERED  
WITH HOPES

"Enemy Not Yet Come to See  
Impossibility of Subju-  
gating Germany."

## GIVE ANNUAL REVIEW

Statement of German For-  
eign Office Is Compre-  
hensive One.

"Building upon what  
she already has achieved,  
Germany treads the thresh-  
old of the third year of  
the war with unshaken  
confidence. But the goal  
has not yet been reached,  
for the enemy has not yet  
come to see the impossi-  
bility of subjugating Ger-  
many.—Statement of Ger-  
man foreign office to Asso-  
ciated Press.

Paris, July 29.—Crown Prince  
Alexander of Serbia, asked for his  
sentiments as to the future of the  
occasion of the second anniversary  
of the war, has telegraphed to the  
Matia:

"We want to fight—that is the  
sentiment which inspires me and  
all my soldiers. To win back free-  
dom for all our brothers—that is  
my view of the future."

Berlin, July 29.—Reviewing the po-  
litical events of the second year of the  
war, the German foreign office has  
given to The Associated Press a state-  
ment, which says in part:

"The world war was caused by Rus-  
sia's aggressive policy, supported by  
France's policy of revenge. But it  
was rendered possible solely by the  
fact that England subordinated to her  
economic antagonism to Germany all  
her other interests.

"Whereas Germany's enemies regard  
it quite in order that they demand ter-  
ritorial aggrandizements at the cost of  
others, like Russia who wants Con-  
stantinople and Galicia, like France,  
who desires Alsace-Lorraine and the  
left bank of the Rhine, and like Italy  
who seeks Austrian territory—they  
grudge Germany even that she strive  
to develop herself economically in  
peaceable competition, and they pro-  
nounce this an unpardonable sin  
against the world's order of things.

"They are unwilling that Germany  
should become great and strong, be-  
cause the other powers want to be the  
economic masters of the world. Ter-  
ritorial and economic aggrandizement  
has united Germany's foes in a war  
of destruction against us.

Second Year Reveals Aims.  
"The second year whose end is  
now approaching has brought these  
two aims of our opponents into clear  
light. In Russia this is openly ad-  
mitted, they having an understanding  
with England and want Constantinople  
as their war goal. In France there is  
a war mad cry for Alsace-Lorraine.

"In England it is openly admitted  
that Belgium was only a pretext to  
justify England's participation in the  
war, which was undertaken only from  
self-interest.

"Germany must be destroyed. Ger-  
many shall never more raise her head  
economically nor militarily.

"It is clear that the talk of a struggle  
of democracy against militarism  
is only a catch word used by our ene-  
mies to create sentiment and to cloak  
outwardly their real purpose of de-  
struction. Assuredly, there can be  
no talk of a struggle for the main-  
tenance of democratic principles when  
one side sets out to destroy the enemy  
completely, including the civilian popu-  
lation.

Land of Democracy?  
"And is England really the land of  
democracy it represents itself to be,  
is not the entire development of England  
during the war shown that England is  
drawing further than ever away from  
democracy?"

"Moreover, if England has really re-  
sorted to war in defense of the rights  
of the smaller nations, she could with-

(Continued On Page Two.)

FEDERAL COURT  
IGNORES GAS CO.

Council Bluffs, Iowa, July 29.—  
Judge Walter I. Smith, sitting with  
Judge Campbell of Muskego, Okla.,  
and Judge Booth of Minneapolis, as a  
court of appeals today sustained a mo-  
tion of non-jurisdiction in the applica-  
tion of the St. Joseph, (Mo.) gas com-  
pany, appeal for an order restraining  
the Missouri public service commis-  
sion from its ruling prohibiting an ad-  
vance in rates of the company.

Judge Smith announced that before  
the case could be taken to the federal  
court, suits pending on the same issue  
in Kansas and Missouri would have to  
be decided.

LOOK FOR EARLY  
CARRANZA REPLY

American Officials Want to Enter  
Deeply Into Investigation of  
Mexican Affairs.

## NOW CONSIDERING COMMISSION

Chief Justice White, Goethals, Leh-  
man and Brandeis Are Among  
Men Being Mentioned.

Washington, July 29.—Washington  
officials today looked for an early  
reply by General Carranza to sug-  
gestions for the extension of the pow-  
ers of an international joint commis-  
sion to settle border difficulties, which  
accompanied the American acceptance  
to Mexico's proposal for that form of  
settlement. The state department  
notified Carranza's ambassador here  
last night that the commission plan  
was satisfactory.

American officials do not want to  
stop at discussion of problems deal-  
ing solely with bandit raids and the  
presence in Mexico of United States  
troops. They want to take up the  
whole Mexican tangle, hoping the con-  
ferences may bring suggestions for  
the reconstruction of Mexico on a firm  
economic and financial basis.

It will be two weeks at least, offi-  
cials believe, before the commission  
can meet. The state department will  
insist that conferences be held within  
the United States. Appointment of  
American members will await Carr-  
anza's reply. President Wilson is  
understood to have under considera-  
tion already a score of men as com-  
missioners. These include Chief Jus-  
tice White, Major General Goethals,  
Frederick Lehman and Justice Louis  
Brandeis.

Luis Cabrera, Mexican minister of  
finance, it is understood, will head the  
Mexican commissioners.

FUNSTON OBSERVES  
ILLINOIS INFANTRY

San Antonio, Tex., July 29.—An-  
nouncement was made today that Lieut-  
enant Colonel De Rosy C. Cabell, chief  
of staff of the expeditionary force, has  
been promoted and assigned to com-  
mand the Tenth cavalry.

The third and fourth regiments of  
Illinois infantry left their camp here  
today on a march to New Braunfels,  
30 miles distant. They will cover about  
fourteen miles on the first day of the  
hike. General Funston went out by  
automobile to observe the regiments  
on the march.

## DAY IN CONGRESS

SENATE.  
Met at 10 a. m.  
Resolution adopted urging up-  
on Great Britain clemency for  
Irish political prisoners.

HOUSE.  
Met at noon.  
Army appropriation bill, as  
amended by the senate was sent  
to conference. Representative  
Gardner declared it inadequate.

Speeches were made by North  
Carolina members in tribute to  
late Senator Zebulon Vance, whose  
statue was recently unveiled at the  
capital.

PRIZE CREW  
LOSE APPAM  
TO BRITISH

United States Court Says  
German Commander Can  
Not Keep Boat.

## LINE OF PRECEDENTS

Rights Lost When Ship Was  
Brought to "Lay Up"  
Here Indefinitely.

Washington, July 29.—The federal  
court's decision holding for the British  
owners in the Appam case confronts  
the United States government with de-  
ciding what to do with Lieutenant Berg  
and his prize crew, which brought in  
the ship after one of the most thrilling  
chapters in the sea history of the war.

Generally speaking, Lieutenant Berg  
and his men are regarded as part of  
Germany's naval forces, and if that  
view were carried out to its conclusion  
they would have to be interned for the  
war for the crew of the other two Ger-  
man raiders, Prinz Irel Friedrich and  
Kron Prinz Wilhelm, at the Norfolk  
navy yard.

State department officials expect the  
court's decision will be carried through  
to the supreme court on appeal and  
disposition of the German crew must  
be decided while proceedings are pend-  
ing. If appeal is taken the ship would  
remain in custody of the federal court.

## Court's Holding.

Norfolk, Va., July 29.—Federal Judge  
Waddill today decided the libel pro-  
ceedings for possession of the captured  
British liner Appam in favor of the En-  
glish owners and against the German  
prize crew which brought her here.

The court held that the German gov-  
ernment lost all legal claim to the  
Appam and her cargo as prizes of war  
when Lieutenant Berg and his prize  
crew on last February first brought  
them into the neutral waters of Hamp-  
ton Roads, with the intention of "lay-  
ing up" the vessel indefinitely.

The court held further that the  
Prussian-American treaty of 1795, re-  
newed in 1828, does not apply or pre-  
vail in the case so as to guarantee the  
prize crew asylum in United States  
waters.

"That the action of the German prize  
court in declaring the Appam a prize  
while the case was in litigation in the  
United States courts has no effect on  
the jurisdiction of the courts.

"That the jurisdiction of the United  
States courts in the case is established  
by a long line of precedents including  
several by the supreme court.

Platt for Lieutenant Governor.  
Galesburg, Ill., July 29.—Roy Platt,  
exalted ruler of the Elks for Illinois,  
announced his candidacy for the demo-  
cratic nomination for lieutenant gov-  
ernor today.

SEE NO RELIEF  
FROM HOT WAVE

Little Change in Temperature Prom-  
ised Before Middle of Week in  
Central States.

## HOT AREA EXTENDS EASTWARD

Intense Suffering Continues in Con-  
gested District of Chicago  
During Nights.

Washington, July 29.—Forecasts of  
weather for the week beginning Sun-  
day were announced today by the  
weather bureau as follows:

Great Lakes region: Warm and gen-  
erally fair. There are no indications  
of a break in the hot wave, which will  
probably continue until at least the  
latter half of the week.

Plains states and upper Mississippi  
valley: Generally fair and continued  
warm. There are no indications of a  
material change in temperature.

Chicago, July 29.—Slight hope was  
held out by the local forecaster early  
today for possible relief from the pres-  
ent heat wave, which is sweeping over  
the central portion of the United  
States, by Sunday night or Monday  
morning. But for today no such en-  
couragement was forthcoming from  
any source.

The government weather bureau at 7  
o'clock this morning officially reported  
the temperature at 85 or one degree  
warmer than it was at the same hour  
yesterday morning. Eighty-five de-  
grees was also the minimum for the  
night. The forecaster said nothing had  
occurred to indicate that relief before  
tomorrow night was in prospect.

Suffering in the congested districts  
of Chicago continued unabated during  
the night.

Two more deaths attributed to ex-  
cessive heat had been reported before  
7 o'clock this morning, making the to-  
tal for the 30 hours preceding, 72, and  
since Thursday at midnight, 88.

Health department officials so far  
have found their greatest burden to be  
the heavy baby mortality.

## Heat Area Extends.

Washington, July 29.—Continuation  
of the excessive heat now overspread-  
ing the central part of the country un-  
til tomorrow and its extension to the  
north Atlantic coast states was fore-  
cast today by the weather bureau.

From the plains states eastward the  
heat wave today held sway. Temper-  
atures ranged from 96 to 102 degrees  
in those states, and in the Missouri  
and Mississippi valleys and the upper  
lake region.

## Shade Cooler.

Chicago, July 29.—At 9:30 this morn-  
ing the thermometer registered 88,  
four degrees lower than yesterday's  
mark at this hour.

SHOOTS WOMAN IN  
RAGE OF JEALOUSY

Chicago, July 29.—Edgar Foster,  
aged 53, today shot and instantly killed  
his 3-year-old son Raymond and in-  
flicted probably fatal wounds on a  
woman known as Bertha Brown, at his  
home on the south side. Foster's jeal-  
ousy of the woman, whom he accused  
of paying attention to other men, is be-  
lieved to have led to the tragedy. Fos-  
ter's wife, it is said, was in the home  
at the time. Foster was arrested.

SAYS DEEP  
WATERWAY  
IS 14 FEET

Ruling Knocks Out Legisla-  
tive Action for Channel  
Eight Feet Deep.

## HUBBARD PETITIONER

Judge Norman Jones Gives  
An Opinion When Over-  
ruling Demurrer.

Springfield, Ill., July 29.—Judge Nor-  
man L. Jones, in the circuit court here  
today overruled the state's demurrer  
to the bill for an injunction filed by  
William A. Hubbard of Carrollton, to  
restrain the commissioners in the con-  
struction of the Illinois deep water-  
way.

Hubbard seeks to enjoin the state  
from issuing \$5,000,000 worth of bonds  
for a deep waterway, passed by the  
last legislature.

The suit has held up for some time  
the bond issue, which is a portion of  
a \$20,000,000 issue authorized by the  
people at an election by Governor De-  
neen's administration, for the building  
of a deep waterway from Lake Michi-  
gan across to the Mississippi river.  
This would be a section of the pro-  
posed Lakes-to-the-Gulf deep water-  
way.

Hubbard contends that the proposed  
waterway is in no sense a deep water-  
way, as only an eight foot channel is  
proposed.

Act Passed in 1915.  
The decision involves an act of the  
legislature providing for the issue of  
\$25,000,000 in bonds to build an eight  
foot waterway from Lockport to Utica,  
Ill. The act was passed in 1915. Hub-  
bard alleges an eight foot channel is  
not a "deep" waterway.

Judge Jones holds, in overruling the  
demurrer, that a deep waterway means  
a 14-foot channel, and not an 8-foot  
channel as provided by the legislature.

He reviews the history of agitation  
and legislation for a deep waterway in  
Illinois, and comes to the conclusion  
"that the people, when they voted to  
amend their state constitution, did so  
with clear, positive and definite idea  
of what the proposed deep waterway  
was."

Deep Waterway Is 14 Feet.  
Legislature, congress, commis-  
sioners, and boards of engineers, says the  
opinion, "have all declared that a deep  
waterway is a 14-foot waterway."

"The canal provided for by the act  
of 1915 is most certainly not the canal  
contemplated by the constitutional  
amendment of 1908," concludes the  
opinion.

GIVE NO REASON  
FOR EXCLUSION

Washington, July 29.—American Am-  
bassador Page at London today cabled  
the state department that Great Brit-  
ain insists upon excluding from Eng-  
land and Ireland Thomas Hughes  
Kelly of New York, treasurer of the  
Irish Relief fund; his assistant, Joseph  
Smith, and Mrs. Kelly. They will  
leave England Monday on the Ameri-  
can liner Philadelphia.

Ambassador Page has been informed  
by the foreign office that the deci-  
sion to exclude the three Americans  
was irrevocable. No reasons for ex-  
clusion of the Irish relief workers was  
given by Ambassador Page who said  
that during their detention at Liver-  
pool the British authorities had per-  
mitted them to remain at a hotel  
without being actually imprisoned.

State department officials today still  
hoped the exclusion order might be  
modified, however.

PLAN CAMPAIGN OF  
PROGRESSIVE PARTY

New York, July 29.—The attitude of  
the progressive party in the national  
campaign probably will be decided at  
a national conference in Indianapolis  
Aug. 3. The call sent out last night  
by Matthew Hale of Boston, acting  
chairman of the progressive national  
committee, has caused the abandon-  
ment of a plan to hold a national con-  
vention in Chicago on Aug. 5.

## THE WEATHER

Forecast Till 7 P. M. Tomorrow, for  
Rock Island, Davenport, Moline  
and Vicinity

Generally fair tonight; Sunday, partly  
cloudy with continued high tem-  
perature with the highest Sunday about  
95 degrees.

Temperature at 7 a. m., 80. Highest  
yesterday, 102; lowest last night, 79;  
at 1 p. m. today, 102.

Velocity of wind at 7 a. m., one mile  
per hour.

Precipitation, none.

Relative humidity at 7 p. m., 34; at 7  
a. m., 75; at 1 p. m. today, 30.

Stage of water, 6.8, a fall of .3 in  
last 24 hours.

J. M. SHERIFF, Local Forecaster.